



THE CITY OF NEW YORK
LAW DEPARTMENT

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July 9, 2014

VIA ECF

Honorable Robert M. Levy
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: **Sharon McCalman et al. v. P.O. Zaytsev et al.**
13-cv-04805(JBW)(RML)

Your Honor:

I am a Special Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for defendants P.O. Zaytsev, P.O. Nieves, Lt. Ban, Lt. Hernandez, P.O. Dilieto, Sgt. Hospedales, P.O. Pelan, and P.O. Rock in the above-referenced action. I write this joint letter on behalf of all parties to inform the Court that the parties have been continuing to work to reach a resolution in connection with Plaintiff Michael Parkes' motion for attorneys fees and costs dated June 4, 2014. The parties have made progress and are optimistic that judicial intervention will ultimately not be required on this issue. Defendants, moreover, fully intend to comply with their obligations to Mr. Parkes, per the terms of the Rule 68 Offer of Judgment. In order for counsel to see their talks through with respect to Mr. Harvis's attorney fees, the parties propose the revised scheduling order:

- (i) An enlargement of time for Defendants to file their opposition papers, if any, from July 9, 2014 to August 8, 2014;
- (ii) An enlargement of time for Plaintiff to file his reply papers, if any, from July 23, 2014 to August 22, 2014.

Thank you for your consideration of this request.

Respectfully submitted,
/s
Daniel M. Braun
Special Assistant Corporation Counsel

CC: Gabriel P. Harvis (BY ECF)